

District Attorney Staffing

“What happens when the amount of work in a prosecutor's office changes without any subsequent change in funding for staffing levels?”

**Nelson O. Bunn, Jr., Overworked and Understaffed:
The Shifting Landscape in Local Prosecutor Caseloads,
February 24, 2020**



Increase in Case Weight



Volume of Discovery is Increasing Exponentially

“Prosecutors today must contend with challenges associated with increasing volumes of data and evidence that have developed from technological advancements.” *Lawrence, Gourdet, Banks, Planty, Woods, and Jackson, Prosecutor Priorities, Challenges, and Solutions, 2019*

- Body-worn camera video
- Surveillance video / Cell phone video
- Cell phone records / Cell phone downloads
- Social media
- Advancements in forensic science



Step 1: Identify Our Needs



- 1000 kilobytes = 1 Megabyte
- 1000 Megabytes = 1 Gigabyte
- 1000 Gigabytes = 1 Terabyte
- 1000 Terabytes = 1 Petabyte
- 1000 Petabytes = 1 Exabyte
- 1000 Exabytes = 1 Zettabyte
- 1000 Zettabytes = 1 Yottabyte
- 1000 Yottabytes = 1 Bronobyte
- 1000 Bronobytes = 1 Geopbyte



- **Discovery management staff**
- **More prosecutors**
- **More victim advocates**
- **More investigators**
- **More support staff – secretaries**
- **3-year plan**



Step 2: Identify Our Goals

- **Help the County Leadership understand what we do**
- **Consider how our requests meet their goals & fit with their values/interests**
 - **Criminal Justice Reform**
 - **Specialty Courts and Diversion**
 - **Number of cases filed**
 - **Safety**
 - **Tourism**
 - **\$\$\$**
- **Support these requests with data**



Understaffing Leads to Injustices

Essays

THE STATE (NEVER) RESTS: HOW EXCESSIVE PROSECUTORIAL CASELOADS HARM CRIMINAL DEFENDANTS

Adam M. Gershowitz & Laura R. Killinger***

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- **Excessive prosecutorial caseloads harm victims.**
- **Excessive prosecutorial caseloads harm criminal defendants.**
- **Excessive prosecutorial caseloads lead prosecutors to run afoul of constitutional obligations.**
- **Overworked prosecutors increase the likelihood of extended case processing time, errors, low plea bargains, and burnout.**



Step 3: Research & Analysis



- **Google, Westlaw, PCE, DA Dashboards, Network**
- **Articles, Studies, Numbers, Ideas**
- **Figured out which methods of comparison make sense**



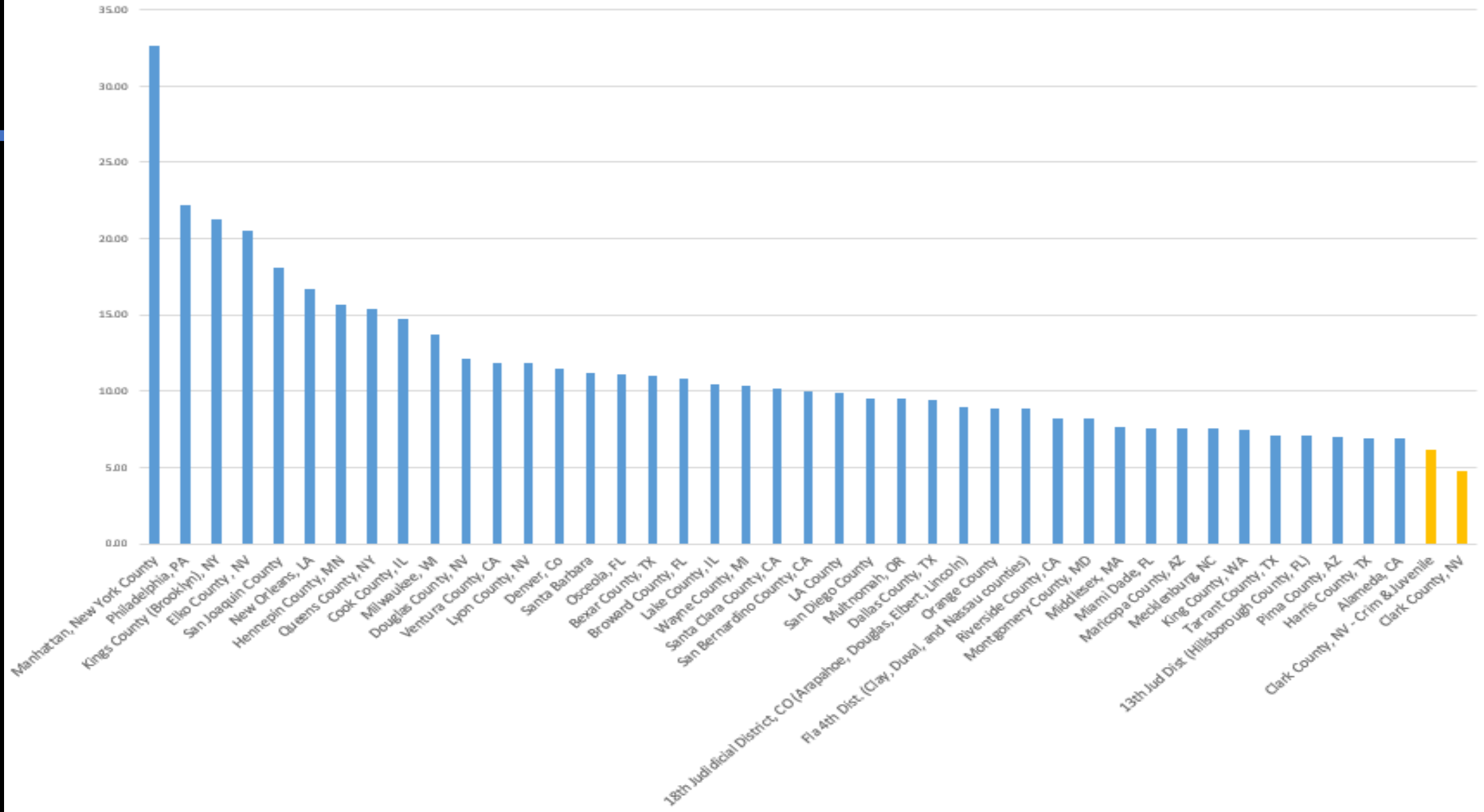
Methods of Comparison

Your office today compared to your office at other points in time

- **2019 – __# homicides pending**
- **2023 – __# homicides pending**
- **Homicides up 33% in Clark County**
- **2019 – lost 4 attorneys**
- **2020 – lost 5 attorneys**
- **2021 – lost 12 attorneys**
- **2022 – lost 14 attorneys**
- **2023 – lost 9 attorneys so far**
- **June of 2015 – 23% of attorneys under 5**
- **May of 2023 – 37.5% of attorneys under 5**



PROSECUTING ATTORNEYS PER 100K IN POPULATION OF JURISDICTION

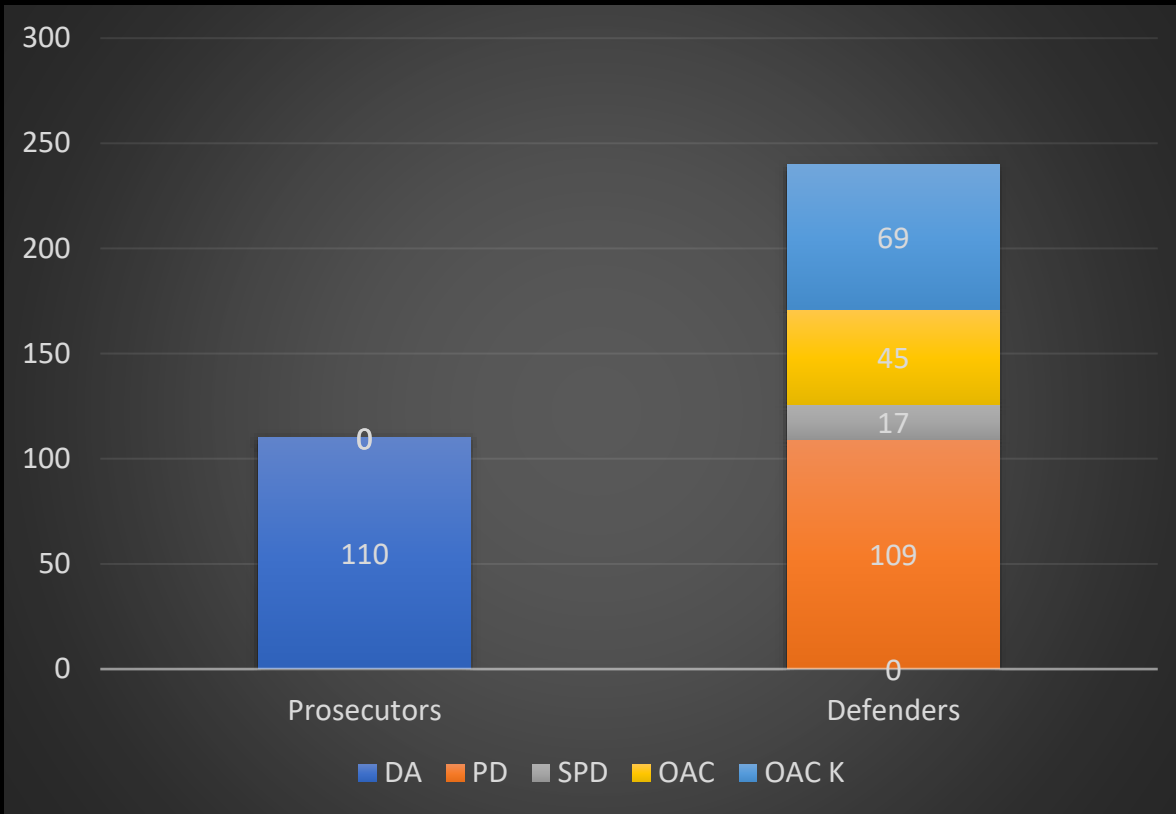


Methods of Comparison

Your office staffing compared to county-paid defense



Prosecutors v. Defenders



Office of Appointed Counsel

- Case-by-Case Assignments
- Category A Felonies
- 1-10 Cases per Attorney

Office of Appointed Counsel

- Track Assignment

Special Public Defender

- Conflict counsel murder cases
- Conflict counsel life sentence

Public Defender Criminal Division

- 40%-50% of criminal caseload

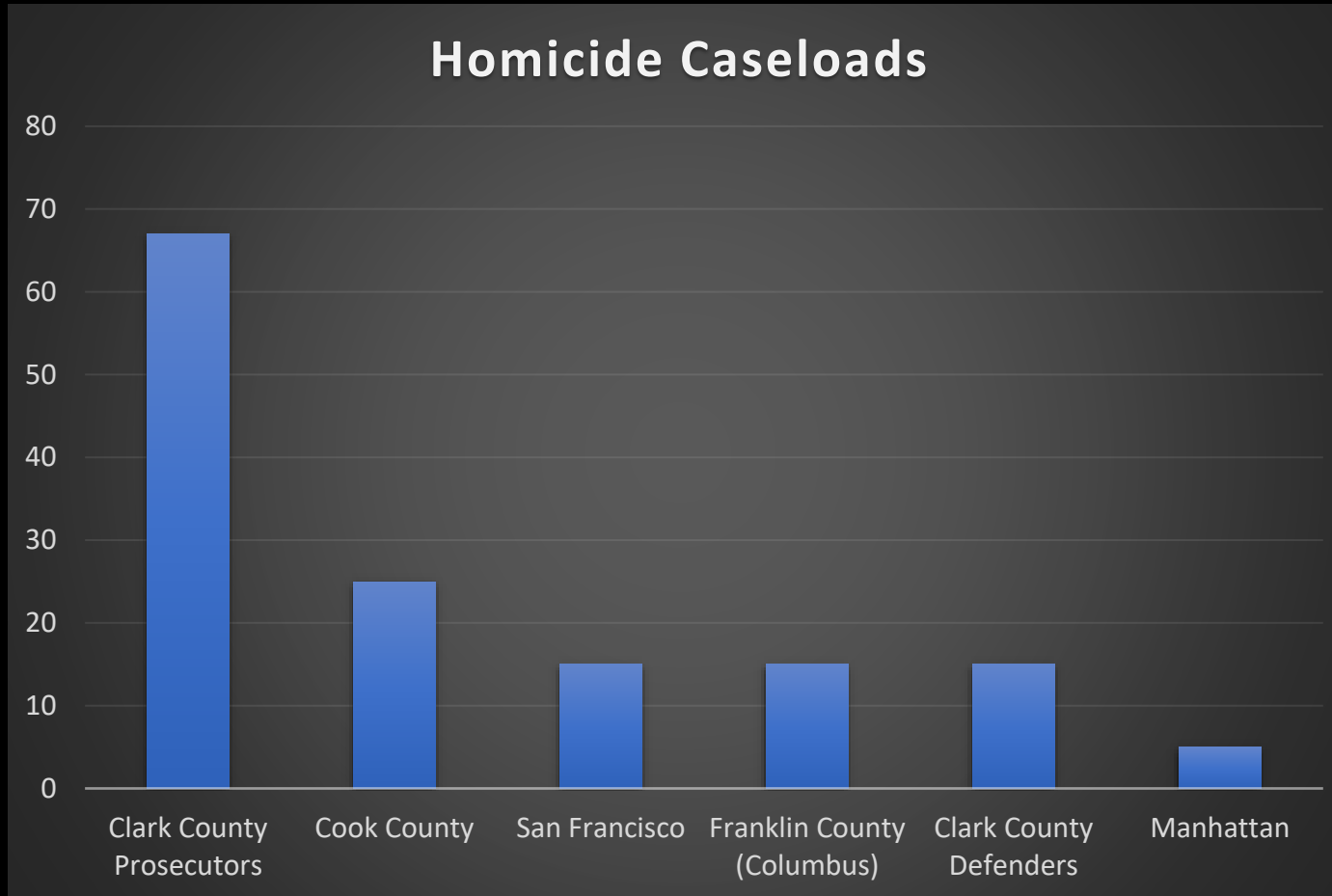


Methods of Comparison

Your attorneys' caseload compared to caseloads of other attorneys



Murder



Step 4: Communicate



Office of the District Attorney
SUPPLEMENTAL BUDGET
PLAN AND JUSTIFICATION (2022)



- **Presentations**
- **Justification Handout**
- **1-1 Discussions**
- **Relationships**
- **Shadowing**
- **Tours**



Step 5: Success!

